



TRUCKEE TAHOE AIRPORT LAND USE COMMISSION

DR. MARK BROWN – Nevada County City Selection Committee
BRENT P. COLLINSON – Placer County Airport Managers
KEN FOSTER – Representing the General Public
PAUL JOINER – Placer County City Selection Committee
JENNIFER MONTGOMERY – Placer County Board of Supervisors (2010 Vice Chairman)
TED S. OWENS – Nevada County Board of Supervisors (2010 Chairman)
KEVIN SMITH – Nevada County Airport Managers

DANIEL B. LANDON, Executive Director
Truckee Tahoe Airport Land Use Commission
Nevada County Transportation Commission

MINUTES OF MEETING October 19, 2010

A meeting of the Truckee Tahoe Airport Land Use Commission (TTALUC) was held on Tuesday, October 19, 2010 in the East Wing Conference Room, Town of Truckee Administrative Center, 10183 Truckee Airport Road, Truckee, California. The meeting was scheduled for 2:00 p.m.

Members Present: Dr. Mark Brown, Brent Collinson, Ken Foster, Paul Joiner, Jennifer Montgomery, Ted Owens and Kevin Smith

Staff Present: Daniel Landon, Executive Director; Toni Perry, Administrative Assistant; Nevada County Transportation Commission

Standing Orders: Executive Director Landon convened the Truckee Tahoe Airport Land Use Commission meeting at 2:00 p.m.

Pledge of Allegiance

Executive Director Landon started this first meeting of the TTALUC by introducing himself as the Executive Director of the Nevada County Transportation Commission (NCTC). The NCTC has been tasked to staff the newly created Truckee Tahoe Airport Land Use Commission. Mr. Landon introduced each member and specified the body that appointed them:

Paul Joiner – Placer County City Selection Committee
Ted Owens – Nevada County Board of Supervisors
Dr. Mark Brown – Nevada County City Selection Committee
Jennifer Montgomery – Placer County Board of Supervisors
Kevin Smith – Nevada County Airport Managers
Brent Collinson – Placer County Airport Managers

Executive Director Landon gave a brief history of the formation of the TTALUC. He stated that in 1997 the Placer County Transportation Planning Agency put forward legislation that was approved and put into the Public Utilities Code (PUC) providing for the opportunity of an inter-county airport to have its own independent Airport Land Use Commission (ALUC). Nothing was acted upon until a little over one year ago when the Foothill ALUC indicated they wanted to release the Nevada County airports and the first thought was that NCTC could take over the role as ALUC. Then it was recognized that the California PUC Section 21670.4 provided for an inter-county ALUC to be organized differently than a regular ALUC. Under direction from NCTC, Mr. Landon and his staff

organized efforts to get this new ALUC formed that includes membership from both Nevada and Placer Counties. It was noted for the record that all appointed members were present.

PUBLIC COMMENT

As noted, there were no members of the public in attendance to give public comment.

ACTION ITEMS

1. Election of Officers 2010

Executive Director Landon stated that the first action of the Commission would be to select a Chairman and Vice Chairman for the remainder of 2010. In accordance with the proposed TTALUC Bylaws, election of officers will take place at the first meeting of each calendar year.

Nominations were opened for Chairman. Commissioner Montgomery nominated Commissioner Owens for Chairman. Commissioner Collinson seconded the motion. There were no other nominations. Commissioner Owens asked for clarification if the term was to serve until January 2011 and Executive Director Landon noted that the Chairman would serve until another Chairman was elected, which would be whenever the Commission met in 2011. A vote was taken and Commissioners Brown, Collinson, Joiner, Montgomery and Smith voted to appoint Commissioner Owens as Chairman. Commissioner Owens abstained from the vote. The motion passed appointing Commissioner Owens as Chairman of the TTALUC for 2010.

Chairman Owens conducted the remainder of the meeting. He opened nominations for Vice Chairman. Commissioner Joiner nominated Commissioner Montgomery for Vice Chairman. Chairman Owens seconded the motion. There was no discussion. A vote was taken and Commissioners Brown, Collinson, Joiner, Owens and Smith voted aye. Commissioner Montgomery abstained from the vote. The motion passed appointing Commissioner Montgomery as Vice Chairman of the TTALUC for 2010.

2. Appointment of the Seventh Member of the TTALUC

Chairman Owens announced that the seventh member of the TTALUC is designated to represent the general public, and in accordance with PUC Section 21670.4, this member will be appointed by the other six members of the ALUC. He invited the two candidates to make brief comments on their own behalf and why they would like to serve on the Commission.

Doug Taggart described himself as a pilot who lives in Carnelian Bay and is employed by Meeks Bay Fire Protection District as a land use manager where he works with agencies such as Cal Fire, the Forest Service, the Tahoe Conservancy, and the Tahoe Regional Planning Agency. His goal is to work with public and private land owners to come up with a consensus on fuel reduction. Mr. Taggart added that the Truckee Tahoe Airport has its own projects in that regard. He has a degree from Cal State in environmental studies. This position on the Commission would allow him the opportunity to give back to the community in the venue of what he does for a living.

Ken Foster stated that he has a history with the Truckee Tahoe Airport Land Use Compatibility Plan prepared in 2004, which was adopted by the Truckee Tahoe Airport and the Foothill ALUC. He was a member of the Truckee Tahoe Airport Board of Directors at that time and he believes his

experience will bring some consistency and continuity to the TTALUC. Mr. Foster was Chairman of the Airport Noise Abatement Committee around 2002 when the first Airport Noise Abatement Plan was adopted. He personally drew up the first noise abatement departure and arrival procedure for the Truckee Tahoe Airport when he was on that committee. He thinks all of those efforts are a great foundation for the current good relationship that the Truckee Tahoe Airport has with the community, which is what he believes the position to represent the general public on the TTALUC focuses on. Mr. Foster said the TTALUC spends most of its time being concerned about the airport's compatibility with the community and vice versa; the airport takes care of itself. He was on the Airport Board of Directors for eight years, as well as working thirty-two years in the civil engineering and land planning business in the Truckee/Tahoe area. He believes these experiences enhance his abilities to bring continuity to the TTALUC and what has happened in the area over the past thirty years.

Chairman Owens opened up discussion and invited questions for the two applicants. Commissioner Montgomery stated for the record that on advice from the Placer County Counsel she would abstain from the appointment process of the seventh member of the TTALUC. One of the applicants works at an organization that her husband used to work at and the other applicant is already on a committee that she appoints members to. Commissioner Montgomery added that even though there is no direct conflict, there may be a perception of a conflict, and Placer County Counsel suggested she abstain from the vote.

Commissioner Joiner noted that the proposed TTALUC Bylaws state the Commission has the ability to appoint an alternate. He asked the two applicants if they both would be willing to take a role as alternate if it came to that. Both applicants replied affirmatively. Commissioner Joiner stated that both applicants are very qualified for the seventh member position and he would not like to lose input from either one of them.

Commissioner Brown made a motion to appoint Ken Foster to the position of representing the general public as the seventh member of the TTALUC. Commissioner Joiner seconded the motion. There was no discussion. The motion passed with five ayes and one abstention from Commissioner Montgomery.

Commissioner Collinson made a motion to appoint Doug Taggart as the alternate seventh member of the TTALUC. Commissioner Joiner seconded the motion. The motion passed with six ayes and one abstention from Commissioner Montgomery.

Chairman Owens agreed that both candidates are very qualified for the position and thanked them for their willingness to participate on the Commission.

3. Adoption of the Truckee Tahoe Airport Land Use Compatibility Plan

Executive Director Landon noted that each Commissioner received an updated version of Resolution 10-01 at the meeting. NCTC's legal counsel, Nancy Miller of Miller, Owen and Trost, added wording to emphasize the action that Placer and Nevada Counties had rescinded the designation of the Foothill ALUC for the Truckee Tahoe Airport. Text was also added to the resolution referring to PUC Section 21670.4 and the action the two counties took to establish a separate inter-county ALUC that would serve as the successor to the Foothill ALUC. The resolution notes that members were appointed by the appropriate agencies, and that staff would be provided by the NCTC. Reference was also made in the updated resolution that the TTALUC would implement the Truckee Tahoe

Airport Land Use Compatibility Plan and Negative Declaration as adopted by the Foothill ALUC by Resolution 04-09-P. The staff memorandum noted that no changes were made to any of the technical data in the Compatibility Plan; only the references to "Foothill ALUC" had been changed to "Truckee Tahoe ALUC".

Chairman Owens opened up the item for discussion. There was no discussion.

Commissioner Montgomery made a motion to adopt Resolution 10-01, implementing *Foothill Airport Land Use Commission Resolution No. 04-09-P, Adoption of the Negative Declaration, and Adoption of the Truckee Tahoe Airport Land Use Compatibility Plan*. Commissioner Brown seconded the motion. There were no further comments. The motion passed unanimously.

4. Adoption of TTALUC Fee Schedule

Executive Director Landon explained that since he had no previous experience with any reviews of the Truckee Tahoe Airport area, the proposed TTALUC Fee Schedule was based on the fees set by El Dorado County, Placer County, and the Foothill ALUC. He noted that this also was the fee schedule adopted for the Nevada County Airport on May 19, 2010 at the Nevada County ALUC meeting. He said as time goes on, if there appears to be a need to change the fee schedule, then it can be brought back before the Commission for review.

Chairman Owens opened the item for discussion. Commissioner Montgomery clarified that the fee schedule was adopted in 2006, and questioned if the rates had not been raised since that time. Mr. Landon responded affirmatively. Commissioner Montgomery asked if there was a level of comfort that they are appropriate fees. Mr. Landon replied yes.

Chairman Owens questioned if there were any escalators, and would the Commission annually schedule a revisit of the fees. He said what often happens with Commissions that do not meet on a regular basis is that the fees can become antiquated without a periodic revisit and then you are stuck in an awkward position. He asked if that was a discussion that should take place during review of the Bylaws. Executive Director Landon noted that Resolution 10-02 points out that "the schedule be reviewed annually or upon recommendation of the ALUC Executive Director".

Commissioner Montgomery recommended that the TTALUC meet at least annually in order to review the fees, even if nothing else is needed to be done. Chairman Owens agreed with the recommendation.

Commissioner Foster asked if there were costs that were directly applicable to the airport itself since he recalled the Compatibility Plan prepared in 2003-04 was paid for directly by the airport. He said there are quite a few things that are presented to this Commission that are paid for directly by the airport and are not a part of the fee schedule being reviewed. He said if a consultant were to update the plan in the future that would not be on the Truckee Tahoe ALUC Fee Schedule. Commissioner Smith commented that was correct and he said the airport may be doing some work with the Compatibility Plan as they initiate a master planning process that will take place starting in 2011 and probably go into 2012. He thought that a lot of it was AIP-FAA (Airport Improvement Program/ Federal Aviation Administration) eligible for funding so it can be looked at down the road, but at least initially he does not have a problem with the fees. Commissioner Smith said he does not have extensive experience with this process himself, but it can be reviewed in the future. Commissioner Foster said if there were something for the TTALUC to review in terms of a new or updated

Compatibility Plan, the proposed fees are a small part of what gets spent, and they are spent on staff or the Commission to review, comment, and accept it.

Executive Director Landon anticipated that over the next few years he would be talking frequently with Commissioner Smith, Manager of the Truckee Tahoe Airport. The NCTC is currently working with the Nevada County Airport to update their Airport Land Use Compatibility Plan (ALUCP) that was adopted in 1987. Mr. Landon has been in conversation with Greg Marshall, Nevada County Airport Manager, and they did not have the AIP grants, which are almost nonexistent these days, to fund an update. Most of the funding sources have dried up. The NCTC was able to identify \$80,000 of planning funds and they are currently reviewing proposals to update the ALUCP. Mr. Landon anticipates that in the future there would be an opportunity for NCTC to help with some planning work at the Truckee Tahoe Airport as well.

Chairman Owens asked Commissioner Montgomery if she would desire to modify the resolution to drop the wording that reads, "or upon recommendation of the ALUC Executive Director", and just state that there would be an annual review of the schedule of fees. He agreed that the Commission should meet at least once a year, regardless if there is work on the table, just to touch base and as a follow-up.

Commissioner Montgomery made a motion to have the TTALUC establish the fee schedule and that the schedule be reviewed annually. Commissioner Collinson said he would like to keep the language, "or upon recommendation of the ALUC Executive Director," just in case the week or month after the Commission does their annual review something would come up; then it allows the opportunity to review the schedule again. As worded, it would allow for either way. Commissioner Montgomery withdrew her motion to take out some of the wording and it was agreed to keep Resolution 10-02 as written.

Commissioner Montgomery made a motion to adopt Resolution 10-02 establishing the Truckee Tahoe Airport Land Use Commission Fee Schedule and that the schedule be reviewed annually or upon recommendation of the ALUC Executive Director. Commission Smith seconded the motion. The motion passed unanimously.

5. Adoption of TTALUC Bylaws

Executive Director Landon noted that when the TTALUC Bylaws were being created, the text was principally patterned after bylaws adopted by the Riverside County ALUC. Mr. Landon had NCTC's legal counsel, Nancy Miller, review the TTALUC Bylaws and her comments were incorporated in the final document.

Chairman Owens read text from 1.3 (a): "To assist local agencies and ensuring compatible land uses in the vicinity of all new airports ...", and he said that Truckee can be a unique situation and that is one point. He asked if all "local agencies" would be inclusive of special districts. Executive Director Landon said that was correct. Chairman Owens read 1.3 (d): "To review the plans, regulations, and other actions of local agencies and airport operators pursuant to Section 21676." He asked whether Mr. Landon came across any MOU's (Memorandum of Understanding) where by there might be a need to confer, such as an agreement with the Town of Truckee, because that is the agency that is most likely to be impacted. He added that is the case for Placer County LAFCo (Local Agency Formation Commission), for example, on issues that are along the common boundaries of Placer and Nevada County, just to keep everyone in the same loop. He asked if it was necessary with

respect to the Town of Truckee. Executive Director Landon replied with regard to PUC Sections, the general plan or any specific plan enacted or proposed to be enacted by the Town would come to the TTALUC. Once their general plan has been reviewed, and if the ALUC made a determination of consistency or inconsistency, those comments would go back to the Town, and they then have 180 days to bring their general plan into consistency if it was found to be inconsistent. Once that consistency finding is made, it really sets the stage for a lot of actions to be taken without further major review. However, any time there is an amendment to the general plan, or to a new specific plan, or an amendment to an existing specific plan, then it needs to come back to the TTALUC per the statute. Mr. Landon said he will talk with Tony Lashbrook, Town of Truckee Manager, to confirm his belief that the Town's General Plan has been found consistent, so unless an amendment came up or a major specific plan came into play, no further action was needed at this time.

Chairman Owens had a question on 1.3 (f): "To hire staff, consultants, counsel and other professionals; to establish and set fees to reimburse the TTALUC for all of its activities; ...". Chairman Owens said it is within the Commission's power to hire staff, but he wondered if the language was appropriate since the Commission is piggybacking on the use of NCTC staff. He asked if better language would be to "maintain appropriate staff". Executive Director Landon replied that the item was added by NCTC's legal counsel and he thought she was reiterating the powers that are available to the Commission. Mr. Landon said if the Commission chose, they could hire their own staff and dismiss the NCTC staff. Chairman Owens said he was not sure he was comfortable with the language. Commissioner Montgomery said she understood that the language was enumerating the Commission's powers, but they do not have to hire anyone or give anyone else authority to hire someone. She did not have a problem with the language. Commissioner Collinson agreed that if the Commission would want to hire staff, they have the ability to do it. He noted the action would come before the Commission and be discussed before any action was taken.

Chairman Owens read 1.4 (b) of the Bylaws: "The TTALUC shall update its review procedures and compatibility criteria as necessary to keep them current with airport conditions ...". He asked if the terms "as necessary" would fall into the one year review or does the Commission wait until there is an issue. Chairman Owens would like to have discussion brought up at an annual meeting as to whether the procedures and compatibility criteria are current. He would rather not be put into a reactionary situation. There was no discussion on this statement.

Commissioner Foster made a motion to adopt Resolution 10-03 approving the governing Bylaws for the Truckee Tahoe Airport Land Use Commission. He noted that he agreed with the comment made by Chairman Owens regarding 1.4 (b), therefore he would like to add the wording: "annually or" as necessary to keep them current. Commissioner Montgomery seconded the motion. There were no other comments. The motion passed unanimously.

6. Drawing of Lots to Determine Terms of Office

This process was carried out in accordance with PUC Section 21671.5(a) which states: "The members of the first commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members is four years."

Chairman Owens asked if staff had determined a procedure to draw lots for terms of office. Executive Director Landon responded that two separate sets of slips had been created: one set with Commissioner names and one set with terms of office. He suggested the Administrative Assistant,

Toni Perry, draw names and terms. Commissioner Collinson suggested that it be double-blind where two people draw slips; one for names and one for terms. Executive Director Landon drew names and Administrative Assistant Toni Perry drew terms. The results of the drawing are listed in order of announcement at the meeting:

Jennifer Montgomery = 3 year term
Dr. Mark Brown = 1 year term
Ken Foster and his alternate, Doug Taggart = 2 year term
Ted Owens = 4 year term
Brent Collinson = 4 year term
Paul Joiner and his alternate, Bridget Powers = 2 year term
Kevin Smith = 3 year term

Commissioner Collinson verified that if a member is not able to attend a meeting it is their responsibility to contact their alternate to attend in their place and to notify the TTALUC Chairman. It was also noted that Doug Taggart will serve only as Ken Foster's alternate. Each appointing body is responsible for appointing an alternate for their member. Executive Director Landon added that the Placer County City Selection Committee was the only body to date that selected an alternate, but each of the bodies has the opportunity to appoint alternates.

Chairman Owens said that the Town of Truckee adopted their updated General Plan about two or three years ago, and he questioned if there was a need for the TTALUC to look back at the General Plan for consistency with the Truckee Tahoe Airport Land Use Compatibility Plan, or did the update process suffice. Executive Director Landon said he would assume that it suffices. However, for the next TTALUC meeting, he would be happy to undertake a review and insure that there is nothing that is outstanding that needs to be addressed. Chairman Owens said he believed some of the maps in the plan had zoning designation changes. Mr. Landon said he spoke to John McLaughlin, Town of Truckee Community Development Director, and he indicated that there have not been any general plan changes. He continued that it does not say that there have not been zoning changes. Mr. Landon said he would prepare a report and review that nothing significant has taken place. Chairman Owens said it was an appropriate action, but not urgent. Commissioner Smith said he would be happy to assist in the review as well since it has been a topic on his list to do.

COMMISSION ANNOUNCEMENTS

Commissioner Montgomery notified the Commission that Steve Kastan would be her alternate in the event that she would not be available to attend a future TTALUC meeting. He is her district aide in the east end of Placer County. He has not been appointed by the Board of Supervisors to date.

Chairman Owens said the Nevada County Board of Supervisors had not appointed an alternate for him as yet, but he would take care of that and let staff know their name.

Commissioner Collinson said that his understanding of the California Constitution and the Government Code is that public officers are to take an oath of office, and he knew that most of the TTALUC members are already on boards of government agencies. He wondered if he, Commissioner Foster, and Commissioner Smith would be required to take an oath of office. Commissioner Collinson stated he would be willing to swear to defend and uphold the Constitution of both California and the United States. Chairman Owens stated that he thought he had a copy of the oath and he could provide the Commission with a copy. Chairman Owens said he would like to

have the oath of office conducted at the next TTALUC meeting, and he called for a TTALUC meeting in January 2011.

SCHEDULE FOR NEXT MEETING

The next scheduled meeting of the Truckee Tahoe Airport Land Use Commission will be in January 2011. TTALUC staff will contact Commissioners to determine an exact date, time, and location.

ADJOURNMENT OF MEETING

Commissioner Montgomery moved to adjourn the meeting. Commissioner Collinson seconded the motion. Chairman Owens adjourned the meeting at 2:35 p.m.

Respectfully submitted: Antoinette Perry
Antoinette Perry, Administrative Assistant

Approved on: 1/28/11

By: Jennifer Rutgerson
Chairman
Truckee Tahoe Airport Land Use Commission